

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

In re:

xxxxx,

Debtors.

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)
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)
)

Case No. xx-xxxxx

Chapter 13 Plan (6/20/01)

☐ **A check in this box indicates that the plan contains special provisions, set out in Section G. Otherwise, the plan includes no provisions deviating from the model plan adopted by the court at the time of the filing of this case.**

**A.
Budget
items**

1. As stated in the debtor's Schedule I, (a) the number of persons in the debtor's household is ____; (b) their ages are ____; and (c) total household monthly income is \$ ____.
2. As stated in the debtor's Schedule J, total monthly household expenses are \$ ____, leaving monthly disposable income of \$ ____.
3. The debtor's Schedule J includes \$ ____ for charitable contributions; the debtor represents that the debtor made substantially similar contributions for ____ months prior to filing this case.

**B.
General
provisions**

1. The debtor assumes all unexpired leases and executory contracts identified in the debtor's Schedule G.
2. The rights of holders of claims secured by a mortgage on real property of the debtor, proposed to be cured in Paragraph 4 of Section E of this plan, shall be modified only to the extent that curing the default as specified in that paragraph shall result in reinstatement of the mortgage according to its original terms, with no default in scheduled payments.
3. The holder of any claim secured by property of the estate, other than a mortgage treated in Section C or in Paragraph 3 of Section E, shall retain the lien
 - ☐ until receipt of all payments provided for by this plan on account of the claim, including payments on account of any unsecured portion of the claim, /or/
 - ☐ until receipt of all payments provided for by this plan on account of the portion of the claim that is a secured claim under 11 U.S.C. § 506(a), at which time the lien shall terminate and be released by the creditor.
4. Within 14 days of a request by the trustee, the debtor shall provide (a) copies of any tax returns filed during the pendency of this case, and (b) a copy of the debtor's current wage statement.
5. The debtor shall retain records, including all receipts, of all charitable donations listed in the debtor's Schedule J.

**C.
Direct
payment of
claims by
debtor**

- ☐ The debtor will make no direct payments to creditors holding prepetition claims. /or/
- ☐ The debtor will make current monthly payments, as listed in the debtor's Schedule J—increased or decreased as necessary to reflect changes in variable interest rates, escrow requirements, or similar matters—directly to the following creditors holding claims secured by a mortgage on the debtor's real property. *[add additional claims as necessary]*:

Creditor: _____, monthly payment, \$ _____;
Creditor: _____, monthly payment, \$ _____.

**D.
Payments
by debtor
to the
trustee**

1. Initial plan term. The debtor will pay to the trustee \$ _____ monthly for _____ months [and \$ _____ monthly for an additional _____ months], for total payments, during the initial plan term, of \$ _____. [*Enter this amount on Line 1 of Section H.*]

2. Adjustments to initial term. (a) If the amount paid by the debtor to the trustee during the initial plan term does not permit payment of general unsecured claims as specified in Paragraphs 8 and 9 of Section E, then the debtor shall make additional monthly payments, during the maximum plan term allowed by law, sufficient to permit the specified payments. (b) The plan will conclude, prior to the end of the initial term, at such time that all allowed claims are paid in full, with any interest required by the plan.

**E.
Disburse-
ments by
the trustee**

The trustee shall disburse payments received from the debtor under this plan as follows:

1. Trustee's fees. Payable monthly, in the authorized amounts. Estimated trustee's fees, over the term of the plan, total \$ _____. [*Enter this amount on Line 2a of Section H.*]

2. Priority claims of debtor's attorney. Payable in full, in installments of \$ 100 monthly, and estimated to total \$ _____. [*Enter this amount on Line 2b of Section H.*]

3. Current mortgage payments. Payable according to the terms of the mortgage, as set forth below. Each of these payments shall be increased or decreased by the trustee as necessary to reflect changes in variable interest rates, escrow requirements, or similar matters; the trustee shall make the change in payments as soon as possible after receipt of a notice of the change issued by the mortgage holder, but no later than 14 days after such receipt. The trustee shall notify the debtor of such a change.

- (a) To creditor _____, monthly payments of \$ _____.
These payments, over the term of the plan, are estimated to total \$ _____.
(b) To creditor _____, monthly payments of \$ _____.
These payments, over the term of the plan, are estimated to total \$ _____.

[*Add additional claims as necessary.*] The total of all current mortgage payments to be made by the trustee under the plan is estimated to be \$ _____. [*Enter this amount on Line 2c of Section H.*]

4. Mortgage arrears. Payable as set forth below.

- (a) To creditor _____, arrears of \$ _____, payable monthly
☐ pro rata with payments on secured claims /or/
☐ in fixed installments of \$ _____; and payable
☐ without interest /or/
☐ with interest at an annual percentage rate of _____ % .

These arrearage payments, over the term of the plan, are estimated to total \$ _____.

- (b) To creditor _____, arrears of \$ _____, payable monthly
☐ pro rata with payments on secured claims /or/
☐ in fixed installments of \$ _____; and payable
☐ without interest /or/
☐ with interest at an annual percentage rate of _____ % .

These arrearage payments, over the term of the plan, are estimated to total \$ _____.

[*Add additional claims as necessary.*] The total of all mortgage arrearage payments to be made by the trustee under the plan is estimated to be \$ _____. [*Enter this amount on Line 2d of Section H.*]

5. Other secured claims. All secured claims, other than mortgage claims treated above, are to be paid in full during the plan term, with interest at an annual percentage rate of 7.0 %, in the amounts stated (calculated pursuant to 11 U.S.C. § 506(a)), in monthly installments, pro rata, but with minimum monthly payments if so specified:

- (a) Creditor: _____ Collateral: _____
Amount of secured claim: \$ _____ ☐ minimum monthly payment: \$ _____;
Total estimated payments, including interest, on the claim: \$ _____.
- (b) Creditor: _____ Collateral: _____
Amount of secured claim: \$ _____ ☐ minimum monthly payment: \$ _____;
Total estimated payments, including interest, on the claim: \$ _____.

[Add additional claims as necessary. All secured claims listed in the debtor's Schedule D, other than mortgages treated in paragraphs 3 and 4, must be treated here.]

The total of all payments on these secured claims to be made by the trustee under the plan, including interest, is estimated to be \$ _____. *[Enter this amount on Line 2e of Section H.]*

6. Allowed priority claims other than those of the debtor's attorney. Payable in full, without interest, on a pro rata basis. The total of all payments on non-attorney priority claims to be made by the trustee under the plan is estimated to be \$ _____. *[Enter this amount on Line 2f of Section H.]*

7. Specially classified unsecured claim. A special class consisting of the following non-priority unsecured claim: _____ shall be paid at _____% of the allowed amount. The total of all payments to this special class is estimated to be \$ _____. *[Enter this amount on Line 2g of Section H.]*

Reason for the special class: _____.

8. General unsecured claims (GUCs). All allowed general unsecured claims, not specially classified, including unsecured deficiency claims under 11 U.S.C. § 506(a), shall be paid, pro rata, ☐ in full /or/ ☐ to the extent possible from the payments set out in Section D, but not less than _____% of the allowed amount of the claims. *[Enter minimum payment provision on Line 4b of Section H.]*

9. Interest. Interest ☐ shall not be paid on unsecured claims /or/ ☐ interest shall be paid on unsecured claims, including priority and specially classified claims, at an annual percentage rate of _____% *[Complete Line 4d of Section H to reflect interest payable.]*

**F.
Priority**

The trustee shall pay the amounts specified in Section E of this Plan in the following order of priority: (1) trustee's authorized percentage fee; (2) priority claims of the debtor's attorney, in the amounts allowed by court order; (3) secured claims paid in fixed monthly installments (pro rata in the event of an insufficiency); (4) secured claims not paid in fixed installments; (5) priority claims other than those of the debtor's attorney; (6) specially classified nonpriority unsecured claims; and (7) general unsecured claims.

**G.
Special
provisions**

Notwithstanding any contrary provisions set forth above, this Plan shall include the following special provisions: **These provisions will not be effective unless there is a check in the notice box preceding Section A of this plan.**

**H.
Summary
of pay-
ments to
and from
the
trustee**

- (1) Total payments from the debtor to the Chapter 13 trustee (subject to Paragraph 2 of Section D) \$ _____
- (2) Estimated disbursements by the trustee for non-GUCs (general unsecured claims):
- (a) Trustee's fees \$ _____
 - (b) Priority payments to debtor's attorney \$ _____
 - (c) Current mortgage payments \$ _____
 - (d) Payments of mortgage arrears \$ _____
 - (e) Payments of other allowed secured claims \$ _____
 - (f) Payments of non-attorney priority claims \$ _____
 - (g) Payments of specially classified unsecured claims \$ _____
 - (h) Total *[add Lines 2a through 2g]* \$ _____
- (3) Estimated payments available for GUCs and interest during initial plan term *[subtract Line 2h from Line 1]* \$ _____
- (4) Estimated payments required after initial plan term:
- (a) Estimated total GUCs, including unsecured deficiency claims under § 506(a) \$ _____
 - (b) Minimum GUC payment percentage \$ _____
 - (c) Estimated minimum GUC payment *[multiply line 4a by line 4b]* \$ _____
 - (d) Estimated interest payments on unsecured claims \$ _____
 - (e) Total of GUC and interest payments *[add Lines 4c and 4d]* \$ _____
 - (f) Payments available during initial term *[enter Line 3]* \$ _____
 - (g) Additional payments required *[subtract Line 4f from Line 4e]* \$ _____
- (5) Additional payments available:
- (a) debtor's monthly payment after trustee's fees \$ _____
 - (b) months in maximum plan term after initial term _____
 - (c) payments available *[multiply line 5a by line 5b]* \$ _____

Signatures:

Debtor _____ **Date** _____

Debtor _____ **Date** _____

**Attorney
for Debtor** _____ **Date** _____

Attorney name, address, telephone, etc.